

### **Remarks**

The Applicants have amended Claims 1 and 5 to recite the additional step of sealing the solution with a seal and the carrier. Support may be found throughout the Applicants' specification such as in paragraphs [0048], [0066] and [0133], for example. Various methods are used to seal the solution with respect to the carrier.

Claim 3 has also been amended for grammatical reasons.

All of the claims stand rejected under 35 USC §103 over the hypothetical combination of Mazza with Sakazume. The Applicants note with appreciation the Examiner's detailed comments hypothetically applying the combination against those claims. The Applicants nonetheless respectfully submit that even if one were to make the hypothetical combination, the methodology resulting from the combination would still be different from the Applicants' claimed methodology. Details are set forth below.

As noted above, the Applicants' independent Claims 1 and 5 recite the affirmative step of sealing the solution with a seal and the carrier. The Applicants respectfully submit that both Sakazume and Mazza fail to disclose, teach or suggest such a step such that the fine particles or air bubbles mix in a sealed solution. That is not the case in either the primary or secondary references. Thus, even if one skilled in the art were to hypothetically combine Mazza with Sakazume, either for the explicit reasons stated in the rejection or for other reasons, the Applicants' methodology resulting from that combination would still not include the Applicants' step of sealing the solution with a seal and the carrier as claimed so that the fine particles or air bubbles mix in the sealed solution. Withdrawal of the rejection on this basis is alone is respectfully requested.

The rejection also states that "it is apparent that the mixing air jet of Mazza et al. would not interact with the bound flocks" of Sakazume. This is not understood inasmuch as injected air is not

bound by the same physics as liquids which are affected by the strong magnetic field, as opposed to air which is not. The injected air will virtually instantly expand into contact with all the substances existing within a defined space, including all of the confining surfaces.

This is sharply contrasted to the Applicants' claims which recite the step of moving the fine particles or air bubbles without allowing contact thereof with the selective binding substance immobilized surface. Thus, once again, even if one skilled in the art were to hypothetically combine Mazza with Sakazume, the resulting methodology would be different from the Applicants' methodology as recited in the solicited claims. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



T. Daniel Christenbury  
Reg. No. 31,750  
Attorney for Applicants

TDC/vp  
(215) 656-3381